

17969. Adulteration of frozen eggs. U. S. v. 1,000 Cans * * *. (F. D. C. No. 31434. Sample No. 7185-L.)

LIBEL FILED: July 11, 1951, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about June 8, 1951, by the Wilson Egg Corp., from Cincinnati, Ohio.

PRODUCT: 1,000 30-pound cans of frozen eggs at Pittsburgh, Pa.

LABEL, IN PART: "Whole Eggs * * * Allied Egg Products Company, Cincinnati, Ohio."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed eggs.

DISPOSITION: July 26, 1951. The Wilson Egg Corp., claimant, having filed a petition denying the allegations in the libel that the product consisted in whole or in part of decomposed eggs and praying relief to have the product examined under the supervision of the Federal Security Agency, judgment was entered ordering that the product be released to the claimant for the purpose of having such examination made. The court ordered further that if the representative of the Federal Security Agency making the examination decided that any portion of the product was unfit for food, such portion should be returned to the United States marshal immediately, or otherwise disposed of as required by further order of the court. Examination disclosed that 138 cans of the product were inedible.

17970. Adulteration of frozen eggs. U. S. v. 100 Cans * * *. (F. D. C. No. 31189. Sample No. 9650-L.)

LIBEL FILED: June 13, 1951, Northern District of Illinois.

ALLEGED SHIPMENT: On or about May 13 and 20, 1951, by C. A. Swanson & Sons, from Omaha, Nebr.

PRODUCT: 100 cans, each containing 30 pounds, of frozen eggs at Chicago, Ill.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of decomposed eggs.

DISPOSITION: August 21, 1951. The shipper having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for segregation and destruction of the unfit portion. Of the 120 cans of the product which had been seized, 13 cans were found to be unfit for food and were denatured, and the remainder were released.

FISH AND SHELLFISH

17971. Adulteration of frozen whiting. U. S. v. 18 Boxes * * *. (F. D. C. No. 31465. Sample Nos. 30860-L, 31449-L.)

LIBEL FILED: August 10, 1951, Eastern District of Missouri.

ALLEGED SHIPMENT: July 7, 1951, by the General Freezer & Storage Co., from New Bedford, Mass.

PRODUCT: 18 boxes, each containing 5 10-pound cartons, of frozen whiting at St. Louis, Mo.

LABEL, IN PART: "H & D Whiting."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: October 30, 1951. Default decree of condemnation. The court ordered that the product be sold to the highest bidder, conditioned that the product be so rendered as not to be fit for human consumption, and that it be used solely for nonhuman consumption.

17972. Adulteration and misbranding of canned herring roe. U. S. v. 13 Cases * * * (and 2 other seizure actions). (F. D. C. Nos. 31027, 31028, 31224. Sample Nos. 909-L, 24868-L, 24870-L.)

LIBELS FILED: May 4 and June 28, 1951, Middle District of Pennsylvania and Western District of North Carolina.

ALLEGED SHIPMENT: On or about February 16 and 19 and March 23 and 30, 1951, by Cape King Fisheries, Inc., from New Bedford, Mass.

PRODUCT: Herring roe. 13 cases at Gettysburg, Pa., 10 cases at Hanover, Pa., and 27 cases at Monroe, N. C. Each case contained 24 15-ounce cans.

LABEL, IN PART: "Cape King Herring Roe."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a roe other than herring roe had been substituted in whole or in part for herring roe.

Misbranding, Section 403 (a), the label designation "Herring Roe" was false and misleading.

DISPOSITION: July 30 and November 30, 1951. No claimant having appeared, judgments of condemnation were entered. The court ordered that the portion of the product which was seized at Monroe, N. C., be destroyed and that the other lots be distributed to charitable institutions.

17973. Adulteration and misbranding of canned herring roe. U. S. v. 21 Cases * * *. (F. D. C. No. 31798. Sample No. 4362-L.)

LIBEL FILED: On or about October 16, 1951, District of Maryland.

ALLEGED SHIPMENT: On or about June 22, 1951, by Cape King Fisheries, Inc., from New Bedford, Mass.

PRODUCT: 21 cases, each containing 24 15-ounce cans, of herring roe at Baltimore, Md.

LABEL, IN PART: (Can) "Cape King Herring Roe."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a roe other than herring roe had been substituted in whole or in part for herring roe.

Misbranding, Section 403 (a), the label designation "Herring Roe" was false and misleading as applied to an article which consisted of roe other than herring roe.

DISPOSITION: November 8, 1951. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution for its use and not for sale.

17974. Adulteration of canned shrimp. U. S. v. 28 Cases * * * (and 2 other seizure actions). (F. D. C. Nos. 31472, 31473. Sample Nos. 21659-L to 21661-L, incl.)

LIBELS FILED: August 15, 1951, Eastern District of Louisiana.

ALLEGED SHIPMENT: On or about October 12, 1950, and January 3, 1951, from Boston, Mass. These were return shipments.